

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.192 of 2020

Arising Out of PS. Case No.-71 Year-2018 Thana- PHULPARAS District- Madhubani

Amarjeet Mandal Son of Arun Mandal Resident of Village - Parsa, P.S.-
Arariya Sangram (O.P), Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Phulparas P.S.Case No.71 of 2018 instituted for the offences
punishable under Sections 272 and 273/34 of the Indian Penal
Code and Sections 30(a)(d)/32(2)/36 and 38(i) of the Bihar
Prohibition and Excise Act, 2016.

The name of the petitioner surfaced in the
confessional statement of co-accused from whose possession
liquor was recovered. Petitioner has got two identical cases.

Though there is no direct material against this
petitioner in this case, however, two criminal antecedents of
identical nature are there. In the circumstances, in my view,
petitioner should be released on bail only after framing of the



charge. Hence, the trial court is directed to frame the charge at the earliest.

After framing of the charges, let the petitioner be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Phulparas P.S.Case No.71 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and also that the petitioner shall not leave the country without permission of the Court.

(Birendra Kumar, J)

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